

**REMARKS/ARGUMENTS**

**STATUS OF CLAIMS**

Claims 2, 3, 6, 7, 9, 10, 13 and 14 are now pending in this application.

**REJECTION OF CLAIMS UNDER 35 U.S.C. § 103**

I. Claims 2, 3, 6, 7, 9, 10, 13 and 14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ratcliff, III (US 2002/0198769) and Simpson et al. (USPN 7,096,265).

The rejections are respectfully traversed.

The Examiner admits that Ratcliff, III does not disclose second identification information identifying mobile terminal devices that are owned by owners of the computers that are connected to the image processing server through the network, third identification information identifying any mobile terminal device which sends image data, said first and second identification information being stored in correspondence with each other, and identifying one of the plurality of computers connected to the image processing server through the network as a computer owned by an owner of a mobile terminal device that has sent image data using the first, second and third identification information stored in the database, and the data processed is received from the mobile terminal device.

The Examiner has relied upon Simpson et al. to disclose these features. However, the Examiner has improperly interpreted the elements of Simpson et al. that would actually correspond to identifying one of the plurality of computers connected to the image processing server through the network as a computer owned by an owner of a mobile terminal device that has sent image data using the first, second and third identification information stored in the

database so that the computer that has been identified can be provided with an instruction to execute the processing of the image data received from the mobile terminal device.

With regard to what is recited in the present claims and in view of the intended combination with the disclosure of Ratcliff, III, the imaging client device, together with the imaging source service of Simpson et al., would correspond to a mobile device that provides a source of image data that is sent to the personal imaging repository (corresponding to the database in the server). Furthermore, as per the present claims, executing of processing of the image data is what is ultimately desired and this is to be done by a computer/device that is external to the image processing server that provides the instructions to the external computer/device to execute the processing of the image data. Therefore, such external computer/device would be the image destination service of Simpson et al. that, for example, provides printing of the data.

The Examiner contends that the description at column 7, line 20 of Simpson et al. discloses identifying mobile terminal devices that are owned by owners of the computers that are connected to the image processing server through the network. However, column 7, lines 8-31 describes:

The imaging extension 310 can be used to access one or more user profiles 326 that is/are stored in a user profile store 324 of a server 322 of the personal imaging repository 320. By way of example, the imaging extension 310 can be directed to the user profile 326 with a uniform resource locator (URL), pointer, socket, or other detail. In some embodiments, the same user can have multiple user profiles. This may be particularly advantageous when a firewall (not shown) is encountered. When firewalls are encountered, different graphic stores and composition stores can be accessed depending on whether the user is inside or outside of the firewall.

The user profile 326 typically includes references to all or a portion of the personal imaging repository 320 for that user profile. For instance, as shown in

FIG. 3, the user profile 326 can include a reference 328 to a default graphic store, a reference 330 to a default composition store, and a reference 332 to a default composition. In use, the user profile store 324 functions as a service that uses appropriate methods to create, modify, access, and cancel profiles. Accordingly, the imaging extension 310 maps to the appropriate methods (i.e., makes use of the methods) in the user profile 326 to obtain the reference to various repository items such as the default graphic store 336 and the default composition store 346.

Clearly, there is no description here, or anywhere else in Simpson et al., that mobile terminal devices that are owned by owners of the computers that are connected to the image processing server through the network are identified in the user profile. Furthermore, there is no disclosure or suggestion in Simpson et al. that any image destination service (corresponding to an external computer that will execute processing of the image data) is owned by the same person that owns an imaging client device, let alone that if there were a plurality of image destination services, there is an identification of an image destination service as being owned by the owner of an imaging client device that sent the data that is to be processed by the image destination service.

When interpreting a reference in view of claims, it is imperative that the interpretation be reasonable in view of what is disclosed in the reference. The Examiner has not provided such reasonable interpretation, as essential features that are not disclosed in Ratcliff, III, are also not disclosed in Simpson et al. More specifically, neither Ratcliff, III nor Simpson et al. discloses or suggests,

...second identification information *identifying mobile terminal devices that are owned by owners of the computers that are connected to the image processing server through the network*, and (iii) third identification information identifying any mobile terminal device which sends image data, said first and second identification information being stored in correspondence with each other;

identifying means for *identifying one of the plurality of computers connected to the image processing server through the network as a computer owned by an owner of a mobile terminal device that has sent image data* using the first, second and third identification information stored in the database; and  
image processing instructing means for *providing the computer identified by the identifying means with an instruction to execute the processing of the image data received from the mobile terminal device.* (Emphasis added)

The above features are recited in both independent claims 2 and 9. Therefore, independent claims 2 and 9, as well as dependent claims 3, 6, 7, 10, 13 and 14, are patentable over Ratcliff, III and Simpson et al., considered alone or in combination. Consequently, the allowance of claims 2, 3, 6, 7, 9, 10, 13 and 14 is respectfully solicited.

## **CONCLUSION**

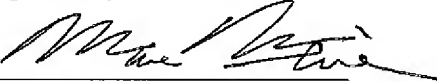
In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Edward J. Wise (Reg. No. 34,523) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: December 20, 2007

Respectfully submitted,

By 

Marc S. Weiner

Registration No.: 32,181

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant